

REGULAR MEETING
WEDNESDAY 7:00 P.M. JULY 6, 2011

This Regular Meeting of Council was called to order on the above-stated date at the above-stated time after the Pledge of Allegiance and a Moment of Silence by President of Council Michael Cherepko with the following Members of Council present:

RC-1 PRESENT: FAWN WALKER, MICHAEL CHEREPKO, DALE McCALL, LORETTA DIGGS, RICHARD DELLAPENNA, JR., DARRYL SEGINA

ABSENT: ALFRED J. TEDESCO, JR.

Reverend Darryl Knopp of the McKeesport Presbyterian Church led the prayer.

Ms. Williams said Mr. Tedesco will not be able to attend this evening because he is out of town.

Also present were Mayor Regis McLaughlin, City Administrator Dennis Pittman and members of the Administration.

APPROVAL OF MINUTES:

MOTION: Mr. McCall moved, seconded by Mr. Dellapenna, "To approve the minutes for the Regular Meeting of Council on June 1, 2011, the Special Meeting of June 13, 2011, and the Special Meeting of June 21, 2011."

COMMENTS:

Mr. Segina said he was not at the June 13 meeting and wants to abstain on that one. He said do they have to do it separately or do they have to do it together, or should he just vote.

Mr. Dice said if he wants to abstain on the one ... the Motion is for all of them right now but what he should do is say is he approves for blank and abstains on a certain date when he votes.

RC-3 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
 DELLAPENNA, SEGINA (June 1, 21) 6

 NAYS: NONE..... 0

 ABSTAIN: SEGINA (June 13 Meeting) 1

COMMUNICATIONS:

- Received a letter from Mark Depretis, Regional Director, Government & Regulatory Affairs, Comcast, RE: Important Information – Channel Additions.
- Received a copy of a letter sent by Mayor Regis T. McLaughlin to Customer Service Center, Pennsylvania Department of Community and Economic Development, RE: Emergency Shelter Grant Program for 2011.
- Received the Annual Audit for the Carnegie Free Library of McKeesport.
- Received a copy of a letter sent by Mayor McLaughlin to the Honorable Mike Doyle, RE: City of McKeesport, HUD Pittsburgh Office, Voluntary Compliance Agreement.
 - Mr. Segina said did they receive a reply on that yet.
 - Mayor McLaughlin said no they did not.
- Received a copy of a letter sent to Bruce Dice, Esquire, City of McKeesport Solicitor from Raymond Malinchak, RE: Validation of Questionable Home Rule Charter Ordinance Amendments.

- Received a copy of a Memorandum that went from Dennis Pittman to Mayor McLaughlin and Michael Cherepko, RE: Fire Department – Quick Medical Response System.
- Received a copy of a letter that was sent by Jacqueline Molinaro-Thompson, Acting Director, Field Office of Public Housing, to Stephen Bucklew, Executive Director of McKeesport Housing Authority, RE: McKeesport Housing Authority – PA005, Turnkey Contract of Sale Approval, Blueroof Technologies.
- Received a letter from Sandra L. Tyler strongly objecting to the Auberle home at the St. Pius site.
- Received a letter from Ronald Derbis, General Manager of Healthcare Waste Solutions, to the Honorable Regis McLaughlin, RE: Annual Operations report for Genesis Facility.

MAYOR'S REPORT:

- Police Chief Washowich said Good Evening. He said in the month of June the Police Department had 2,308 calls for service. He said there were 210 arrests. He said they issued 152 citations. He said there were 20 orange tags placed on vehicles and 3 of those vehicles were towed. He said 386 parking tickets were issued and there were 6 robberies, 26 burglaries, 43 thefts over \$50.00, 30 criminal mischiefs, 4 stolen cars and 13 assaults.
 - Mayor McLaughlin said was there any recovery on the stolen cars.
 - Chief Washowich said there were three recoveries. He said one of their officers was injured in the line of duty this month. He suffered a broken finger but he is back to work full staff. He said through Mr. Pittman and the Mayor's office they have almost finalized the purchase of

their new radio system which 9-1-1 communications is by 2013 they are going to be mandated to update their portable radios to an ultra-high frequency. He said so they have been able to negotiate some pricing and do a combined buy with other municipalities on the costar program. He said they also accepted the resignation of Joey Lynn who joined the military and will be starting in January of next year. He said they wish him well. He said he also has some of their K-9 statistics which are always two months behind. He said he will routinely give them some of these so they will know what is going on in the K-9 department. He said in the month of May they had 26 preventative actions, they did 9 tracks, had 2 apprehensions, did 1 warrant service, 3 article searches, 6 suspicious activities, 6 crowd controls, 8 public relations, 5 disturbances, 7 building searches, 3 assists for outside agencies, 4 traffic assists, 9 narcotic assists, 1 armed and 2 explosive searches. He said there were 92 total deployments for their K-9 division in May. He said they logged 55 hours of training for May. He said the division is run by Lieutenant Tim Bliss who does an incredible job and they have 4 K-9 officers who are assigned to the division. He said he has nothing further to report.

- Mr. Segina said 2 months ago he approached the Chief in regards to the tractor trailer truck in an alley in Christy Park and he wants him to know that the truck has been removed and wants to personally thank him in public for taking the time to have the truck removed. He said they cleaned the alley too. He said the residents who complained wanted to thank him too.
- Mr. McCall said he has another question too. He said how many officers are they down now that they need.
- Chief Washowich said they are down six officers.

- Mr. McCall said so they should probably sit down now and do a Civil Service exam.
- Chief Washowich said it would definitely something they could talk about. He said they have redone their scheduling procedure especially for the summer months and a lot of the men who are lower on the seniority list are not super happy with it because they have rescheduled men during peak hours. He said coverage is there and they have anywhere from 9 to 12 guys working weekends 3:00 – 11:00 and midnight shifts. He said of course Sunday mornings and Saturday mornings they are a little bit on skeleton crew just because of the call basis. He said it is something they need to start talking about.
- Mr. Segina said are they all part-timers that they are short.
- Chief Washowich said they are short five full-timers and one part-timer.
- Mr. Cherepko said if they look into the Academy it is usually twice a year in January and July.
- Chief Washowich said he believes an Academy is just starting now.
- Ms. Walker said is the JAG that is on the agenda tonight is it for the radios and is it for just one vehicle.
- Chief Washowich said it is not for the radios, this is for the cameras. He said some of the funds for those radios are going to come from their drug seizure money. He said more of the funds are going to come from the Justice Assistance Grant (JAG) and they are looking at a total bill of \$56,000 for radios.
- Ms. Walker said okay.

- Chief Washowich said also in the JAG grant they also purchased a paddy wagon in last year's grant. He said this year they are going to look at purchasing some video camera systems, some cameras.
- Ms. Walker said do they have anything in the works to fix some of the vehicles.
- Chief Washowich said he doesn't believe there is any federal money available to do repairs on vehicles.
- Ms. Walker said when they get the new vehicles, how does he decide who gets the new vehicles. She said is it whoever is on duty
- Chief Washowich said the majority of ... when they received their new vehicles the last time they purchased four, they held one back and they rotated one vehicle in every month so they would not put too much abuse on the new vehicles. He said they routinely go straight to the patrol division because that is the bulk of the miles and hopefully if they have a warranty issue it is covered.
- Mr. Segina said last night it was mentioned that they were going to purchase a police vehicle out of that \$38,000, which he didn't know how he was going to do that with the number of radios they were buying and a vehicle too.
- Ms. Bauer said the JAG money they are receiving is \$38,000 and some change. She said the County takes a piece of that off the top for administrative costs so it is about \$34,000. She said as the Chief said some portion of that is going to be used for police radios as well as some of the Weed and Seed money that they were able to spend on September 30 although the Weed and Seed program in the Budget under Harrisburg terms has expired. She said JAG gets touchy about buying police vehicles. She said they have been successful in the past

but have always had to ask their permission. She said if the budget numbers come out that way and they can get enough out of Weed and Seed and move some resources around they might be able to get enough money for a vehicle too.

- Mr. Segina said he didn't know if there was a need for one but it was mentioned last night and he just wondered how they were going to do it with not a lot of money out there.
- Ms. Bauer said actually with their schedules of late, she and BJ have been missing each other and they have not had an opportunity to discuss what else.
- Ms. Walker said when Bethany says extend the Weed and Seed what does she mean.
- Ms. Bauer said there were two contracts with Harrisburg for the Weed and Seed program. She said those expired on June 30, 2011. She said the one contract expired and now it is a matter of doing close out reports and tying up the loose ends. She said the other grant which is more the program side, for whatever reason and she is not clear why, they let McKeesport and the other Weed and Seed sites, extend the grants until September 30 if they wanted to. She said because the Police have the saturation patrol and things that they want to do and it is only the beginning of summer, they decided to take advantage of that so that their officers can finish out the summer with their saturation patrols.
- Mr. Segina said the radios themselves, there will only be a portion of them in the cars ... in all cars or will all cars be equipped
- Chief Washowich said all cars will be equipped with new radios.
- Mr. Segina said how about the new handheld.

- Chief Washowich said the new handheld and the new mobiles, correct will be purchased. He said this will give everyone the capability of everyone talking to each other countywide. He said unfortunately the Clairton shooting was one example that communication centers telling them that they need to do this because some departments were talking and not hearing other departments.
- Mr. Segina said how much higher are they going to go with that. He said they had raised it up one other time when he was Public Works Director about 15 years ago. He said they can't go any higher with their frequency, can they?
- Chief Washowich said yes they can. He said they can go up to 800. He said actually the newest they can get is 800 and unfortunately they are buying 400 and he spoke with the Chief of Emergency Services today and he is assuring him that they are going to be 400 for quite some time because he did not want to spend this money on 400 frequency and 5 years down the road go to 800 frequency. He said the Chief assured them that they are going to be on queue with their technology.
- Mayor McLaughlin said these radios can be transferred over from 400 to 800.
- Chief Washowich said whether they can be transferred to 800 he is not sure, he hopes they never get to that point.
- Mr. Segina said were they talking about laptops at one time.
- Chief Washowich said they were.
- Mr. Segina said is it in the talking stage.

- Chief Washowich said it is in the talking stage and is something they can talk about in private because there are pros and cons to the mobile data terminals. He said a lot of times they are efficient and a lot of times they are inefficient and very costly. He said the maintenance is very expensive on them and there are monthly surcharges to maintain the wireless communications. He said they just don't turn on the computers and have service. He said they have to supply monthly air time to each car. He said it is something they are researching and it is something that the communication center is also researching with them.
- Mr. Segina said he told them a long time ago to do the job they have to have the tools. He said that kind of a job they need the proper tools.
- Chief Washowich said sometimes good shoe leather police work is the best tool you can have.
- Community Development Director Bethany Bauer said Good Evening. She said she was going to talk about the JAG grant because that is one of the requirements of the application but they have covered that. She said the only other major pressing issue is that they have is the voluntary compliance agreement. She said as they are aware, the Mayor has sent a letter to the Congressman's office and she has spoken to some colleagues of hers regarding what they would like the City to do and commit to. She said that is where they are. She said they met with Chelsea Dice and she needs to get back in touch with her because she was supposed to get in touch with the FHEO Department before she went out of town. She said she doesn't know if Chelsea had a chance to do that or if they even returned her call. She said it is not a great situation.
- Mr. Segina said is McKeesport the only community that they are contacting or are they going after everyone

- Ms. Bauer said they are not singling McKeesport out however it has only gotten to this extreme with McKeesport. She said when she spoke with Diane Raible from the Housing Authority last week when she was doing her report; she reported how many units that the Housing Authority has converted to visitable and completely ADA accessible units. She said additionally HUD sent a letter to the Housing Authority that Blue Roof is now able to proceed with a turnkey Housing Development for the Housing Authority for completely accessible units. She said that is one of their concerns and one of the issues that they bring up. She said they also don't particularly like that they have areas of concentration in the downtown where they have extremely low income residents. She said that is partially correct because back in the 40's, 50's and 60's when the high rises were built, that is where they put them. She said she could see if they were building new high rises today and put them in other neighborhoods but it is what it is, they have inherited some of these things. She said it is a brand new director. She said the past director, Mr. Dick Payne has since retired. She said no one is real clear where the new director has come from and there are also some other new internal changes in that office. She said the director Sherry Campbell has also since retired. She said their contact, Mr. John Tolbert, has been out with knee surgery and the recuperation has been longer than what he anticipated so they are very much in flux while they are kind of out there in a quagmire.
- Mr. Segina said it is frustrating to get a letter like they send and here they sit with the highest per capita of subsidized housing anywhere in the country including Chicago. He said they have over 400 Section 8 units.
- Ms. Bauer said it is not only that ...

- Mr. Segina said they have reached so far that they might be in Duquesne next.
- Ms. Bauer said the Post-Gazette reports that the median price per house in McKeesport is \$15,000. She said she doesn't know how much more affordable they can get. She said they talk about subsidizing construction to make brand new units more affordable. She said that was just done with the Housing Corporation and the McKeesport Neighborhood Initiative for the new houses built in and around the reservoir and prior to that with the Menzie Dairy site. She said those houses are subsidized so they can be affordable.
- Mr. Segina said they are reaching out too both those corporations.
- Ms. Bauer said she guesses it is their turn so to speak, however, ... how they are hamstringing them has serious implications to the City not only the Community Development Department.
- Mr. Segina said they have not received any Community Development Block Grant funds.
- Ms. Bauer said the resources have not been released, however once they are released, if this matter is not resolved, they will continue to hold on to them.
- Mr. Segina said if summer comes to an end and then in September and October comes, they will not be able to pave any streets.
- Ms. Bauer said they already are paving streets.
- Mr. Segina said how are they going to pay for that.
- Ms. Bauer said that is part and parcel to the problem sir. She said the City has done that because she needs to report that as something she does as a low-mod activity

in her report, however she cannot pay for it right now because the plants are only open for so long so the City's General Fund has been taking that burden on in addition to several other burdens that the Department typically picks up.

- Mr. Segina said he won't mention those.
- Ms. Bauer said those are staff, purchases, debt and they do backfill for force account labor for public works. She said there are some projects in there ... they are in the midst of construction season.
- Mr. Segina said if they don't get these funds, they are in deep, deep trouble.
- Ms. Bauer said she believes there are three payrolls in July.
- Mr. Segina said it has to come out of General Funds and there is nothing in the General Funds to support that.
- Ms. Bauer said a lot of it already has come out of the General Fund.
- Mr. Segina said that will show up in November and December.
- Ms. Bauer said she thinks it will be even sooner.
- Mr. Malinchak said he has a question and he doesn't know whether it is in her area or not. He said this subject has been very quiet for a long time. He said remember they had the issue for the corners for the wheelchair access. He said has that been completed or has it just fallen off the radar.
- Ms. Bauer said neither. She said it has quieted down because they are doing what they are supposed to do.
- Mr. Malinchak said they are in compliance then.

- Ms. Bauer said their Assistant Public Works Director Steve Kondrosky just went out with a group and the attorney of the group that has them in court to designate additional ramps they would like to see done. She said they went out to bid and it should be on this evening's agenda to have Palmieri construct additional ramps for them. She said they are grinding away at this.
- Mr. Malinchak said they are in compliance with this then.
- Mayor McLaughlin said it is on the agenda tonight.
- Mayor McLaughlin said would Chris House please come to the front. He said they have an Ordinance on the Agenda tonight that Council was questioning about Delaware Street. He said could Chris bring them up to date on that. He said in fact he thinks Mike went out and looked at that last night.
- Mr. Cherepko said just to bring it up they have had that discussion yesterday with Mr. Buckley and he actually had the opportunity to go out after the meeting. He said it was pretty clear once you are there. He said all he can say to his fellow Council members is at least for him that it was not as he envisioned. He said when he went out there it was very clear. He said the one side is pretty much a wooded area and the other part is where he parks his vehicles and the neighbor ... there may have been some issues with it ... and they may not have been entitled to that property anyway because it is down this way. He said once he looked at it, the alley is just like a big hillside of woods. He said he doesn't know if it was ever considered an alley. He said it was definitely much clearer once he had an opportunity to go out and look at it.
- Mr. Segina said if the case is that he blocks that alley with his car and they can't get out of there, can't they tag it and tow it.

- Mr. Cherepko said Mr. Segina is exactly right but he thinks what happens is this is where his cars are parked and this is the dead end. He said he parks his vehicles here and his house is right here. He said the problem is that this neighbor is pulling all the way up in the alley and pulling right in front of him. He said that is part of the reason there is a problem. He said once he acquires this property then it can almost be considered a driveway at that point, correct and then they would have more of a right to go ahead and tag this gentleman for blocking him in.
- Mr. Segina said first of all, no one can block any kind of throughway for emergency vehicles to come through. He said they don't know that and he is only getting blocked as a neighbor but what if they need an ambulance back there or a fire truck or a police car. He said then there is a problem. He said that is why this problem should be averted from the beginning by getting him to move his car altogether and either tag him or tow him.
- Mr. House said unfortunately that right of way is extremely narrow, old houses built basically in an alleyway and there is less than 15 feet of actual pavement in the right of way. He said it is going to be tight no matter what happens. He said he doesn't think they could get a fire truck in there anyway. He said they would have trouble getting through there if the alley is clear let alone if there is a car parked there.
- Mr. Cherepko said it widens out a little bit where he parks but He said as a matter of fact, he doesn't know if he can get out of the car where no one parks.
- Mr. Segina said he is not allowed to block a throughway no matter what.

- Mr. House said they don't vacate ... the pavement ends actually ... they never vacate any streets that are actually paved. He said they are all paper alleys or unimproved wooded areas which this is. He said the pavement ends at his property line, Mr. Buckley's property line. He said then there is some stone.
- Mr. Segina said it doesn't really matter whether it is paved or unpaved.
- Mr. House said he understands but....
- Mr. Segina said they have to have ingress and egress; there is no doubt about that. He said if you look at the map it doesn't say paved or unpaved, so there is no solution as to what that is supposed to be. He said the law is the law and he cannot block the throughway.
- Mr. House said Mr. Segina is right.
- Mr. McCall said is there another place for the neighbor to park.
- Mr. Cherepko said he doesn't know, he thinks either way he is going to run into problems like Darryl just said. He said he doesn't have to park so far up. He said this is where the cars are parked and the neighbor is down here further and he could park here where Mr. Buckley would have plenty of room to go around the car and get out. He said the problem is that he pulls all the way up to here and blocks him in. He said he would have plenty of room to park back further and there is room for a car to go around. He said a fire truck is questionable but a car yes.
- Mr. Segina said he has not talked to the other neighbors and he doesn't know if Mr. Cherepko did or not but is there a chance that they could clear that so he would have a parking space for himself there.

- Mr. Cherepko said what guy.
- Mr. Segina said the guy that is blocking. He said maybe he has a problem of where he is parking. He said maybe he is parking the only place he has to park. He said he doesn't know because he did not see the place.
- Mr. Cherepko said it actually widens out where he is parked. He said the road goes down and goes like this so the neighbor is actually parked ... he doesn't want to call it a cul-de-sac because it is far from that but it definitely widens out.
- Mr. Segina said it wouldn't be a problem then if he parked it correctly by being a good neighbor.
- Mr. Cherepko said yes, absolutely.
- Ms. Walker said Mr. Dice, do they put themselves in any legal trouble by passing this.
- Mr. Dice said no, he does not believe so.
- Mayor McLaughlin said does anyone have any more questions for Chris. He said thank you, Chris.
- Mayor McLaughlin said he does not have any report tonight. He said he just wanted to thank everyone from Public Works for the good work they did on the Fourth of July with all the rain and the Police and Fire Department. He said they did a great job in getting the fireworks off and keeping things under control.
- Ms. Walker said she has a question. She said what are the Mayor and Dennis doing to aggressively seek those funds that Bethany was talking about in her report.
- Mayor McLaughlin said the CDBG funds.
- Ms. Bauer said the Mayor, Dennis and she went two months ago and met with several people from the HUD

office. She said at that time they promised them that they would get a VCA to them within a week because it was right before Easter because they expressed to them potentially the situation that they are coming up against. She said they assured them that they would crank it up right away. She said they are now three months after the fact. She said apparently Mr. Jansen, the Director, either chose or was required to send it the Washington DC Headquarters Attorney and they had it for approximately two and a half months. She said it was no fault of theirs however they are still here. She said they got the agreement to the City a week and a half or two weeks ago by email. She said as they mentioned they talked to Ms. Dice the last week of June and she was out of town and they have a meeting with the Congressman's office this Friday regarding another matter and she believes the Mayor mentioned that he was going to contact the Congressman's office to see if while they were there for the initial meeting they could also discuss this matter as well because it is a problem.

- Ms. Walker said that is why she wanted to know what is going on.
- Ms. Bauer said it is forefront in all of their minds.
- Mr. Pittman said they are taking some of the action voluntarily are they not.
- Ms. Bauer said yes, some of the things they are asking the City to do, they are already starting. She said they met with a gentleman who has written Monroeville's zoning plans all over again. She said they talked to him about possibly doing the same thing for McKeesport as well. She said this would be a huge undertaking and they need to get some more information and exchange information with him about that. She said they are doing that. She said they also want the City to have some seminars and they are okay with that. She said

what her greatest concern is that the document is legally enforceable and if Bethany Bauer or whomever the next CD Director is in five or ten years, the City will be held to that and she does not know if anyone has had an opportunity to read it. She said it is pretty open-ended and says that if they don't think the City has met their benchmark at the end of three years they are going to extend it. She said it is pretty subjective and her concern is that if someone is having a bad hair day they are going to say "yea you tried but they could have tried a little harder." She said that is her major concern and they went through this process when they did the St. Mary's apartments and tore down Building 16 and it was a long process. She said they held both the City's and the Housing Authority's funds at bay one year when the construction started.

- Mr. Segina said this type of waiting for the CDBG funds is basically holding the City hostage He said this started in January so they should have done this the previous year and said here is what they are looking for to improve their program. He said they should have said they are going to allow you to have this money this year but they want to see progress in reaching these certain goals that they outline for them. He said instead they are coming out right now and hanging this over the City's head and saying they have to do these things and they still haven't given them the money. He said they are a poor municipality like all the municipalities around here and they rely on that money and they have sustained themselves on that since 1984 when they separated from Allegheny County and went on their own. He said up to this point that has been no problem. He said they are at the point now where they are really catering to the people in this City as far as needy people. He said now they are coming back and saying they have to reach out. He said that is why he is saying reaching

out to where. He said they have been reaching and he doesn't know where they have been.

- Ms. Bauer said she would like to make two points. She said to his point of why all of the sudden now. She said they have internally discussed that ... since 1984, there have been little road bumps but over the last several years ... there have been no findings and no issues then all the sudden this new gentleman becomes the director and you would think that they are not allowing people to move into McKeesport.
- Mr. Segina said they audit each year and the City has been up to date on everything and they have been in compliance. He said yet all the sudden in January they said they want more from the City.
- Ms. Bauer said even to add on to that, she doesn't think she provided Council with the initial letter that they received but it started off with "you have ignored us for six months..." and it was addressed to her personally. She said her first thought was holy cow what did they ignore from them, that was not good. She said as it turns out, the FHEO Office gave the division that oversees the City's program comments, way back in June. She said the Department that oversees their CPD never gave them to the City to respond. She said on the one hand they were criticizing McKeesport and her for ignoring them for six months, but they never had the information to respond to from the FHEO Office.
- Mr. Segina said he would like to see them reach out rather than asking the City to reach out.
- Mayor McLaughlin said they are not going to do it Darryl.
- Mr. Segina said he knows they are not going to do it and that is why they should vote Democrat.

COUNCIL REPORTS:

- Ms. Walker said she wanted to let everyone know about the 2nd Annual Walk, Ride and Run Against Drugs, Violence and Abuse. She said it will be on August 6 at Renzie Park at 9:00 AM at the Band shell. She said she would like to invite her fellow Council men and women and any citizens in the audience who would like to attend. She said it is on August 6 and is sponsored by Operation Save Our Youth and Rainbow Temple. She said she wanted to ask Mike what is going on with the investigation and whether he has heard anything.
- Mr. Cherepko said he has gotten nothing and has actually taken it a step further and sent out registered letters and they did get receipts on those. He said he believes he had Patty keep all those receipts that they have actually received those letters. He said he sent them, actually thanks to Ms. Longo, to all of the firms she had on the list and he has gotten no feedback from the letters. He said nothing came into City Hall at this point. He said on the registered letter he even tried giving them a deadline to let them know he would like to have something for this meeting. He said he didn't get anything back from anyone.
- Ms. Walker said what do they want to do moving forward then. She said do they want to call them or do they just want to put together a committee. She said she thinks they need a resolution.
- Mr. Segina said the Controller has a firm that is hired whether they agree with it or not. He said they will be getting a report back on that. He said they will be getting a report back on this.
- Mr. McCall said if they pay him.
- Mr. Segina said well

- Ms. Walker said have they talked to that firm.
- Mr. Segina said that is one of the things he is a little tired of and that is political maneuvering. He said they are trying to solve a problem here of why they are trying to solve a problem here about why they are being overcharged on sanitation and that is exactly what the problem is. He said they are trying to outsmart each other. He said that is not right for the taxpayers of the City of McKeesport. He said he would like to get to the bottom of it whether it is illegal dumping or something else. He said and now they are talking about well they are not going to pay them. He said they are going to pay somebody; they have put out five or seven letters to get someone to do it.
- Mr. McCall said he has a problem with what is going on with the investigation as it is right now because they have their own City employees being called at their own homes and they are being interviewed like they have done something wrong.
- Mr. Segina said don't say me.
- Mr. McCall said he said with this investigation that the Controller has hired. He said the employees don't have anything to do with this.
- Mr. Segina said how do you know that.
- Mr. McCall said this investigation should be going towards Nicholas Sanitation. He said they can talk to Nick Shermenti. He said but he was any of the City employees, he would file a suit against Ray and make sure that he had a Union rep if they ever called him again. He said he would definitely file grievances against Ray for what is going here. He said the City employees are getting caught up in something that they should not be getting caught up in.

- Mr. Segina said first of all he gave a resolution to Mr. Cherepko saying that they should hire this firm because if they didn't, Ray was going to hire them on his own. He said they had the opportunity to take control of this investigation themselves and instead they chose to say no and said let's bury it. He said the resolution was torn up and was not even put on the agenda.
- Mr. McCall said no one tried to bury it.
- Mr. Segina said it was not put on the agenda. He said am I right Mike.
- Mr. Cherepko said yes for that meeting. He said they wanted to wait for Mr. Nickolich to come. He said no one buried anything. He said as far as he is concerned Mr. Malinchak has hired an investigative firm to investigate this at his own expense. He said it is a win-win for the City. He said he thinks it is wonderful.
- Mr. Segina said he doesn't think it is at his own expense but that is another issue.
- Ms. Walker said she did not bring it up to start an argument, she brought it up to try to come up with a solution because it comes up every meeting and there is no resolution that comes out of it. She said they need to put their heads together and come up with a solution whether it is today or if they need to have a special meeting. She said it needs to happen. She said she did not bring it up to cause an argument or to bring up bad feelings. She said she brought it up because they owe it to the citizens to put their heads together and come up with solutions so that is what they need to do. She said therefore she asking them all what is the solution. She said do they need to have a special meeting so they can further discuss it, do they need to go with Ray's guy, or do they need to put something together. She said that is what she is asking. She said do they need to have a

special meeting so they can talk about it because it always comes up and there is never a solution to it.

- Mr. Cherepko said whatever they want to do about it.
- Mr. Segina said no, it is not whatever they want to do about it, Mike is the titular head of the investigation commission.
- Mr. Cherepko said he has done everything they have asked him to do.
- Mr. Segina said Mr. Cherepko is supposed to be giving them guidance on which way they should be going. He said he is not arguing with him, he is just telling him what the procedure is.
- Mr. Cherepko said he knows and as far as he is concerned personally, he was personally pleased with the response he got from Mr. Nickolich when he came in here. He said the City has their own workers, they could send them and see what is going on. He said if the tonnage goes down while they have guys watching. He said the bottom line is that he pointed out that really stood out to him that he never really thought about, they take everything. He said he has been in McKeesport his entire life and he doesn't ever remember garbage men taking everything.
- Mr. Segina said that has been in the contract since 1982.
- Mr. Cherepko said but they don't.
- Mr. Segina said that is not up to the garbage company, it is up to them to say hey they are supposed to take it.
- Mr. Cherepko said he couldn't agree with Mr. Segina more. He said but he just recalls garbage day
- Mr. Segina said he is not such a great man as far as that goes ... they have had others ... they have had problems

with and some that did good jobs too ... who knows. He said the thing is if you looked at the tonnage recently since they had those meetings, it has dropped precipitously. He said and it is still raining, and they still have illegal dumping. He said it sure does give an indication. He said if you were rich then you would have found the numbers.

- Mr. Cherepko said what percentage did it drop.
- Mr. Segina said he doesn't have it with him.
- Mr. Cherepko said what do they want to do ... just tell him what they want to do. He said
- Mr. McCall said just keep track of the numbers.
- Mr. Cherepko said do they want to look at the numbers?
- Ms. Walker said they voted to have an investigation so they need to have an investigation.
- Mr. Segina said he thinks they should wait for the Controller's report and see whether they like it or don't like it and base it on there.
- Mr. Cherepko said he agrees. He said they are getting a free investigation.
- Mr. Segina said he thinks he should be reimbursed too.
- Mr. Cherepko said that is Mr. Segina's opinion.
- Mr. Segina said he is allowed to have an opinion.
- Mr. Cherepko said absolutely.
- Ms. Walker said so they are going to wait on the Controller's report. She said are they even going to get that report.

- Mr. Malinchak said the way he understands it in conversations with Mr. Pittman is that he imposed two criteria on him with respect to submitting the invoice to Council for action. He said the first criteria was that he give them the check front and back which he said he would do and the second criteria was that he would give them a copy of the report which he will do. He said that means he will get through the orifice of Mr. Pittman that he will forward this to Council. He said how Council votes is their decision. He said that is where it stands.
- Ms. Walker said do you know where they stand with their investigation.
- Mr. Malinchak said they are on target. He said it appears right now that his original target date of September is still good. He said also as the gentlemen said to him when he first met with him, that sometimes when you start with these investigations you just don't know what direction to go in and the word he used were that he will follow where the information takes him. He said that is where he is right now.
- Ms. Walker said they might have the information by the September meeting.
- Mr. Malinchak said yes, his goal is the September meeting or he is going to have to sell his car for the next increment.
- Mayor McLaughlin said is that the one his dog won.
- Mr. Malinchak said don't tell the dog that.
- Mr. Cherepko said that is what he is investigating, garbage.
- Mr. Malinchak said that is the primary thrust.

- Mr. Cherepko said he is getting feedback that they are into all different kinds of things.
- Mr. Malinchak said that is amazing because he is the guy paying for the report and
- Mr. Cherepko said he is getting word of mouth and he doesn't believe everything he hears and that is why he is asking him.
- Mr. Malinchak said and ... Mike is getting all the information. He said he has not had more than three conversations with the man since he met with him.
- Mr. Segina said when you have an investigation it is like throwing ink at a blotter, when you are going after one thing and all the sudden you find out other things too. He said that is how that works. He said he is not saying this is what is happening here but those things do branch out because people do say things and it is up to him to determine who is lying and who isn't.
- Mr. Malinchak said it is up to them what they want to do and it certainly is there decision but he would urge them to follow the suggestions of Fawn Walker here because he is very close. He said if they want to go out and parallel his investigation, fine. He said he wants to bring to their attention something that he wrote in his previous correspondence. He said there were two solicitors sitting in this room one time. He said there is nothing preventing Council from going out totally independent of what he is doing and going in pursuit but he thinks Fawn is bringing considerable wisdom to this by saying why are the duplicating the efforts. He said it is that simple.
- Mr. Cherepko said he agrees. He said especially at no expense.

- Mr. Malinchak said the one thing he has to do while they are on this topic is ... Council has every right to take any action they feel is prudent and correct with response to his request for reimbursement. He said he vehemently objects to Mr. Cherepko making a statement at previous meetings "see you in court." He said why doesn't he let these folks up here vote before he makes that statement.
- Mr. Cherepko said he will let them vote it down, he doesn't know, why doesn't he is just telling them his opinion.
- Mr. Malinchak said would he say he would see him in court before he heard the vote.
- Mr. Cherepko said he was just telling Mr. Malinchak....
- Mr. Malinchak said apparently he knows how they are going to vote or he would not have made that statement.
- Mr. Cherepko said he will be quite honest with Mr. Malinchak. He said he thinks anyone up here that is a semi-intelligent person ... and he believes everyone here is semi-intelligent, can read the Charter and see that he had absolutely no right whatsoever to hire his own investigative firm at the expense of the City. He said that is his opinion and that is what he is sticking to and they will talk about it later. He said let's move on. He said does Fawn have anything else.
- Ms. Walker said yes, they keep talking about ordinance enforcement. She said it seems to come up about every meeting. She said she knows she asked if the Mayor would bring the Ordinance Officers in at one time so they can talk to them.
- Ms. Bauer said working with the Police Department as recently as last week; the Police Department has been

going out and notifying the persons by putting something on their doors saying there is a warrant for their arrest for a code violation and the next time they will be arrested. She said the next time she would like to commend the Building Inspector Chris House. She said they had a situation in Grandview that got pretty grave and Mr. House with an officer, who could not stay because he got another call, located the property owner, who later turned herself in. She said they are starting to get there. She said they have a lot to do but they are getting started.

- Mr. Segina said are there any plans to have some training with regards to Senate Bill 900 for the Building Inspector and the Code Enforcement Officer so they could have a coordinated program and try to rid the neighborhoods of these decrepit houses and these various ordinances they violate like high grass and weeds.
- Ms. Bauer said does he mean training or
- Mr. Segina said training or gaining some sort of knowledge about it . He said he knows the local government academy has classes on it and he mentioned it once before, Bill Kortz had a gentleman who came in and he think he held a seminar for a community or group of communities. He said maybe they could contact Bill and see if he could arrange one. He said he is sure it is not going to be one of these long drawn out seminars but something they could really sink their teeth into and start getting out into their neighborhoods. He said prevention ... these abandoned homes always catching fire because there is no one living in them. He said that is what they are trying to stop. He said they can do that by going after these landlords who abandon these homes after they have milked them of all the profits.

- Mayor McLaughlin said first of all they have to find the landlords. He said they have an Ordinance Officer who just dealt with a landlord in Germany.
- Mr. Segina said he has heard all those stories Rege, he knows about that. He said but by the same token, even if they are out of state, you can go after them with Senate Bill 900. He said he doesn't know if they read it or not. He said if they are in Germany, you can't do much with it but if they are anywhere in the United States. He said they can go after them and get their personal belongings off of them, their savings, the house they are living in, instead of putting a lien on the house here and say that they liened the house so they can't do anything with it. He said they don't care about that because they aren't paying taxes anyway.
- Mayor McLaughlin said that is true but they have to track them down and find them and that is another story.
- Mr. Segina said they have to do this quickly because their neighborhoods are deteriorating.
- Ms. Walker said she wanted to thank Bethany and the Chief for doing that but she knows the police have a lot of other things to do and they have Ordinance Officers that they hired to do these things. She said she would like ... as she said a couple of months ago for them to look at all the Ordinances that they have now and see if they have to change them and see how they can enforce them better. She said they need to be enforced more consistently. She said maybe if they need to hire more people ... she doesn't know what the solution is but she thinks it is something they need to look at. She said she doesn't know if the police should be using their resources for that.
- Mayor McLaughlin said if they need to hire more to do that, where are they going to find the money.

- Ms. Walker said that is where they need to sit down and talk about it. She said they just can't always say they are going to find the money and not do anything about it.
- Mr. Cherepko said he agrees and said they will sit down.
- Ms. Walker said that's good because that is what they keep saying.
- Ms. Diggs said excuse me but they have two ordinance officers, right. She said she thinks that is plenty. She said she has houses around her that were abandoned before she ever bought her house 25 years ago. She said there is one straight in front of her that has graffiti on it. She said the one across the street from her is condemned. She said they are going to be there forever. She said the children play in them and it is just a matter of time. She said David Meekins has some houses up there that have been empty for 30 years. She said what do they do with it, nothing.
- Mayor McLaughlin said he is not sure, but he thinks they used to be able to go out and board up the houses when Darryl was on public works and they are not allowed to do that anymore. He said they are not allowed to go on private property anymore.
- Ms. Diggs said then what do they do.
- Mayor McLaughlin said he doesn't know. He said the ordinance officer used to go out and do that. He said they are not allowed to.
- Ms. Diggs said what are they there for and what are they supposed to do. She said they have people around them.
- Mr. Segina said that is why he suggests that they have a training program set up for these guys so that they

understand. He said Senate Bill 900 ... he read that Bill and it is kind of complicated to read and they give you the indications of what you can and what you can't do. He said up to this point he knows the thing they always say is that they can't do that to them. He said now Bill 900 gives the City the ability to go and do something to the owners of those properties. He said that is why he is saying they need that training. He said training is an ongoing thing that is always occurring. He said right Chief. He said they are always training the policemen and the firemen. He said they are always doing shooting instructions and those types of things they have to do. He said they are always training and it is a big step in the right direction with Senate Bill 900. He said it gives them a lot of teeth to clean up their neighborhoods.

- Mr. McCall said he does believe their ordinance officers are out there pretty much every day and the helping hand that the police do give them in those positions is because they are already there He said they only have three ordinance officers and they have a lot of area to cover. He said the police are already in those areas and give a helping hand when needed or when they see stuff like that. He said they can call it in and post it and that is what they do.
- Mr. Segina said he read today in the Daily News that Port Vue is sending their police officers out. He said they are actually issuing or taking the names of those who are violating the ordinance and sending out citations to these homeowners. He said he doesn't expect the policemen to do that although they probably can report something like that especially if they have a burned out streetlight. He said that is helpful. He said it just shows the importance in a town like Port Vue which is in pretty good shape and still has the same problems they have. He said just think if they were down here and saw the problems McKeesport has in this town. He said he

walked these neighborhoods a lot in this last campaign and there are some neighborhoods that he got sick to his stomach in, especially ones that he frequented a lot when he was a kid. He said he was not happy with what he saw especially burned out structures still standing. He said after all these years and the people next door not being able to get insurance on their own homes because of that. He said it is a big problem.

- Ms. Walker said it is.
- Mr. Segina said it is something they need to start being very aggressive about.
- Ms. Walker said can Mike get something together along the lines of ordinance enforcement like the sort of meeting with them and She said can Mr. Dice get her a copy of all the ordinances that they have on enforcement.
- Mr. Dice said sure.
- Mr. Cherepko said that is something that he could not agree more with. He said it seems like they are preaching to the choir up here.
- Mr. Segina said they have a Landlord-Tenant Ordinance also.
- Mr. Cherepko said it time to do something absolutely.
- Ms. Bauer said Mike may also want to invite the Union-Steward and the Union Office in those conversations. She said they play a strong part in the opportunities that they can pursue.
- Ms. Diggs said Mr. Segina mentioned that they have a Landlord-Tenant Ordinance and wondered what is going on with it.

- Ms. Bauer said she thinks that may be an issue for the Council President to take up. She said they also need to bring in the Union Steward.
- Ms. Diggs said she brought it up last night.
- Mr. Segina said why are they bringing in the Union Stewards in to these conversations. He said what is going on here.
- Ms. Bauer said there are things that the City is able to follow up on and there are other things that they are not able to follow up on.
- Ms. Diggs said this thing about
- Mayor McLaughlin said they have been told that already. He said they had a meeting and there are certain things they can do and certain things they cannot.
- Ms. Diggs said these landlords don't paint, they don't clean, and they don't exterminate. She said this has been empty less than a week and someone is moving in already.
- Mr. Segina said are they saying Local 205 is hindering their ability to implement Act 900.
- Ms. Bauer said she is just saying that they need to be involved in the conversation.
- Mr. Cherepko said he has had conversations with them already.
- Mr. Pittman said he would like to add one piece of clarity if he may. He said in December, this Council passed an Ordinance in anticipation of Act 32 which talks about the collection of earned income tax and what they asked was that every landlord ... and in fact they required every landlord to register their tenants so they had a database to give to their new tax collector. He said they passed

that in December and as they sit here in July, and they had several meetings in January about that in Community Development, he doesn't think any of the Ordinance Officers have delivered one piece of paper to a Landlord. He said the mechanism is in place and he believes the legislation they need has been passed by Council but it is not being implemented. He said he will take responsibility for that if they wish but it will take some cooperation and he thinks Bethany described the method that they have to follow to get that cooperation.

- Mr. Segina said they are begging for jobs and they are telling the City what they can do and can't do. He said he doesn't understand it.
- Mr. Dellapenna had nothing to report.
- Mr. Segina said he doesn't mean to be doom and gloom but he guesses he is sometimes. He said maybe he is but he thinks if they bury their problems and don't talk about them then they will never get solved. He said they do have problems this time. He said he doesn't want to speak in negative terms but sometimes he has to. He said there are a lot of positive things but they have to clear up the negatives and put them on the positive side. He said he would like to speak without Mrs. Diggs interrupting him.
- Ms. Diggs said she is not interrupting him.
- Mr. Segina said she keeps saying something. He said when she has her chance to talk then she can respond. He said he will be glad to listen to her.
- Mr. Cherepko said go ahead Mr. Segina.
- Mr. Segina said they have some agencies and he is Chairman of the McKeesport Development Corporation and they are living on a shoestring right now. He said it is a shame because they are not the only ones of the subrecipients of the City that are living on the same

shoestring. He said they are going to lay their secretary off at the end of July and probably the Director is going to be gone by September maybe. He said they have not any infusion of cash coming into our office so they can implement some programs. He said they went out and tried to teach new entrepreneurs to try and get them involved so they have their own businesses. He said they have done just about everything. He said they are pretty stagnant right now, there is no doubt about it right now. He said as Chairman, he has only called a meeting, when they had something to talk about instead of just meeting and having nothing to talk about and having a meeting for meeting's sake. He said they have had maybe two meetings so far this year. He said what he is saying is that if you look at the McKeesport Neighborhood Initiative too, the same problem is occurring there. He said they have a young lady there who is in charge of that and working without pay. He said she is doing this out of her own volition. He said McKeesport Housing Corporation can use some work cooperation and some help also. He said they have to get some kind of summit together so they can sit down and talk and try to resolve some of these problems. He said they have talked about consolidation at one time. He said they have to keep these agencies going. He said they are very important. He said if this town ever starts growing and getting more industry and people need businesses to open up and they don't have McKeesport Development Corporation, what will they do then. He said they are trying to build more houses. He said MNI has built new houses up there, beautiful homes, and they have new residents in this town. He said even though they are a declining population, they are trying to do something to bring more people in from the outside. He said that brings him to the last subject and that is the McKeesport Redevelopment Authority. He said that is absolutely dead broke as far as he knows. He said he doesn't know what happened and he is not

here to point fingers but that is part of the reason why he thinks a summit should be called. He said they need to address the problem and see if there is any kind of solution for each one of these. He said the Redevelopment Authority is a very important Authority in their town. He said they have the Vacant Property Review Commission of which he is a member which tries to give properties to neighbors who want to use that additional property from an abandoned home that was torn down. He said they had that opportunity to do that at a low price. He said yet here they are, there has been no infusion of cash into that program and he doesn't know where that problem is and has not talked to anyone about it. He said he thinks they are down to zero in their checking account if he is not mistaken. He said when they are down to zero, there is nothing they can do, they are stuck there. He said they can't give away property or sell property to people who want to buy it. He said they can't even go and do anything at the millsite down there. He said they are very much hindered by that. He said they need to get together, whether it is the President of Council, the Mayor, the Administrator, Bethany Bauer, and maybe a Representative from Council to sit down and say what can they do to bring these three entities, four counting the Redevelopment Authority, back to the point where they are viable and out there trying to do good things in this town. He said as of right now it is not happening. He said he hopes that it is very soon. He said in fact September is when he would like to see something occurring on that so that they can start it. He said their Director might be gone by that time, he doesn't know. He said it is an immediate problem. He said they have talked about this ... he was at a meeting five years ago and they were going to consolidate them to hold down costs. He said they have done everything they can at MDC. He said they got rid of the water cooler now. He said instead of using one side of the fax ... they got rid of

the fax machine anyway ... but now they use both sides. He said they are using desperate measures right now. He said he knows MNI is in the same position. He said there are 10 people from the neighborhoods who are instrumental in getting these homes built up by the reservoir site and on Jenny Lind and there is more to be done. He said he is sure MHC could use some help also. He said he implores someone, whether the Mayor or the incoming Mayor, they have to get together for the good of this community and see if they can keep these subrecipients going and get the Redevelopment Authority back in business again. He said it was formed for a reason and that reason should be amplified right now.

- Mayor McLaughlin said wasn't it brought up about a year ago to consolidate the three groups.
- Mr. Segina said they talked about that five or six years ago and nothing has been done. He said now they are at the point where he doesn't know what the solution is.
- Mr. Cherepko said it has been quite a few times this evening but he agrees with him. He said they are going to get together on this.
- Mr. Segina said what? He said is that tape recorder on.
- Mr. Cherepko said he agrees with Mr. Segina. He said they need to get together and there are some possible solutions that have been thrown out. He said does anyone have a definite no. He said they have some good ideas and they need to sit down and take care of that. He said there is no question.
- Mr. McCall had nothing to report.
- Ms. Diggs said she would like to know what is the racial census up in the new houses on Jenny Lind and the Reservoir site.

- Mayor McLaughlin said is Lani Temple here.
- Ms. Temple said she did not hear the question.
- Mr. Pittman said what is the demographic breakdown of the buyers on the Reservoir Site.
- Ms. Diggs said the racial demographics.
- Ms. Temple said most of the buyers they have are African Americans. She said most of them are single families like women who have small children. She said she has to go around and think about it. She said on lot 1 they have a couple, lot 2 they have a woman who has 4 children and is African American, lot 3 is
- Ms. Diggs said then basically it is African American, correct.
- Ms. Temple said right.
- Ms. Diggs said it is a brand new ghetto. She said that is the way she feels about it.
- Mr. Segina said it is beautiful up there.
- Ms. Diggs said yes it is beautiful but would you buy one up there.
- Mr. Segina said no, I have a home.
- Ms. Diggs said then there you go.
- Mr. Segina said those lots are beautiful lots and are in a good setting and everything.
- Ms. Diggs said she knows but they are being built in the wrong area of town. She said that is the way she feels about it.
- Ms. Temple said the only thing is that when they were receiving PHFA money and state money, they have to

deal within areas that are considered to be depressed areas.

- Ms. Diggs said she thought it was supposed to be a percentage for all races.
- Ms. Temple said it is supposed to be but unfortunately
- Ms. Diggs said but nobody will move up there.
- Ms. Temple said they are not allowed to screen it, they have to go with the ones who are qualified and who make the proper amount of income and who follow HUD rules. She said they have a lot of directives they have to follow in order for the people to qualify. She said they also have to go through a very rigid credit counseling program to be sure they don't have any failures. She said she is very proud of all those people who are up there and they don't have
- Ms. Diggs said she understands that the property up there is nice and what not but ... whenever they went up there to break ground on that reservoir she was there and she didn't see any white people up there except the people
- Mr. Segina said but they can't solicit by color though Mrs. Diggs. He said they have to offer these to everyone regardless of color. He said they have one up in Haler Heights believe it or not.
- Ms. Diggs said she understands.
- Mr. Segina said they have three on Mayfair Avenue too.
- Ms. Diggs said the area was basically African American.
- Mr. Segina said maybe they feel comfortable there. He said he doesn't know.

- Ms. Diggs said that is all she has.
- Ms. Temple said in all honesty many of their clients who have come in for credit counseling are African American women who have children in order to buy the houses. She said they are open to anyone who wants to come in.
- Ms. Diggs said the area ... she said she has a beautiful home but the average person that is looking to buy is going to Haler Heights or is going somewhere else, they are not going up there. She said they broke ground up there at the reservoir.
- Mr. Segina said the program is meant to bill income and make housing available to these people. He said there is no saying they have to be white or black. He said they offer them for sale to anyone who wants to go there.
- Ms. Diggs said it is already a black area, who else is going to go up there.
- Mr. Segina said it was all white at one time.
- Ms. Diggs said Crawford Village was all white and Harrison Village was all black.
- Mr. Segina said what is her point.
- Ms. Diggs said that is her point.
- Ms. Temple said she can't do anything about that because they do qualify for buying the home.
- Mr. Cherepko said when they have the government going into a distressed area and building beautiful homes and a buyer comes in, regardless of demographics they are happy that the houses are there.
- Mr. Segina said they are guided by federal laws.

- Ms. Walker said they are just thankful for the houses. She said they are beautiful.
- Mr. Cherepko said he has a few things to go over. He said he read a few weeks ago in regards to the flyover ramp and the Eat N Park, within the article it mentioned that they might need some kind of Council action and that it might be delayed because they do not meet in August. He said he just wants to go on the record and believes he speaks on behalf of everyone up here that they are very grateful that not only did they not lose Eat N Park as a business in the City but they are going to get involved here very shortly with a very large renovation project to the entire restaurant. He said if they need to call a special council meeting, he thinks everyone here would be more than willing to call a special meeting if they need any kind of action by Council. He said the way he read it, it looked like they may need something or they would have to wait. He said if that is the case.
- Mayor McLaughlin said also he and Dennis had a meeting with everyone and RIDC is tearing down the Midas Building. He said hopefully they will tear down the next two buildings as well which will open up that whole corridor.
- Mr. Cherepko said this is actually for the Chief. He said they may have discussed this but he can't remember if they discussed it or not. He said could they possibly have Lopretto or someone take a look at Sumac and Stewart Street. He said he has gotten some complaints about a safety issue and people believe they need a stop sign up there. He said he doesn't know if it is coming up or going down. He said he thinks it is coming up Stewart. He said without it ... he went up there and it is dangerous. He said maybe someone could take a look at that. He said also just this morning he met with Mayor McLaughlin, Mr. Pittman and Senator Brewster as well as a couple of representatives from the State Senate in

regards to them moving offices into the City. He said the Senator's office will be moved into the downstairs of this building. He said the meetings went very well and they came in and measured all the square footage. He said they will take that back to the Senate and if all goes well they will have new revenue being brought into the City. He said hopefully that will be coming in very shortly.

- Mr. Pittman said hopefully by September 1.
- Mayor McLaughlin said approximately \$15,000 a year.
- Mr. Cherepko said it will be right around \$15,000 a year which will be nice.
- Mayor McLaughlin said also not to interrupt him, but the other room on the other side was being looked at for Doyle's office also. He said there is a possibility of that being put in there too.
- Mr. Malinchak said does that mean that the 5th floor of the City Hall building will become available in the other building.
- Mr. Cherepko said that is part of that.
- Mr. Malinchak said that would become available.
- Mr. Cherepko said no, that is part of the lease.
- Mr. Malinchak said oh, that is going to be used by the state.
- Mr. Cherepko said he also had the opportunity to meet with Mr. Sunstein, the owner of the Pennsylvania Coach Lines, and they are going to set something up with the Mayor, Dennis, Mr. Sunstein and himself to sit down. He said he made it very clear that he does not want to see this business leave town. He said they are talking about 350 employees over 200 of which are McKeesport

residents. He said he thinks everyone here would agree that they should meet and do what they can to make sure they keep Pennsylvania Coach Lines and Mr. Sunstein in town.

- Mr. Segina said what about his side of the bargain Mike.
- Mr. Cherepko said that is what they are going to sit down and talk about with him.
- Mr. Segina said it is a two way street.
- Mr. Cherepko said absolutely, but regardless, he personally thinks something needs to be worked out and he agrees that he does not want to see him leaving McKeesport at all.
- Mr. Segina said he doesn't want to see him dictating to the City against the ordinance of collecting taxes.
- Mr. Cherepko said that is something they are going to look at. He said the only other thing he has is that the Palisades ran into an air conditioning problem and it was down for a few weeks. He said they had a bid come in, which was a very large bid which they were then going to come to and mentioned it to Mr. Pittman and Mayor McLaughlin. He said it is very financially tight right now but he went out and fortunately through a few phone calls and some connections between himself and with the help of Dan Carr, they got a gentleman to come in and repair the unit. He said it was a home run for the City and the Palisades. He said that is all he has to report.
- Mr. Segina said why don't they give the gentleman recognition for fixing the air conditioning.
- Mr. Cherepko said he doesn't know which one was actually able to fix it, they had three come in and one was able to fix it and he can't remember which one it

was. He said he will get their name. He said the unit is still up and running which is great.

CITIZENS IN THE AUDIENCE:

- **WARREN MACLAREN, 2719 LAFAYETTE STREET, McKEESPORT, PA 15132.** Mr. Maclaren said they have been talking about ordinances and he has a question about premature fireworks and is there such a thing as an ordinance. He said in his neighborhood there are people setting these things off a week before the 4th, during the 4th and yesterday after the 4th and again today, the second day after the 4th. He said he had to take his dog to the vet because she got so excited over this for six days leading up to the big event. He said they can understand it on that day but not five, six or seven days ahead of time. He said Christy Park has someone down there that is crazy.
- Mr. Cherepko said he thinks that is a concern throughout the City and he agrees with Mr. Maclaren.
- Mr. Maclaren said he thinks a lot of people probably feel the same way.
- Mr. Cherepko said the 4th is over now and he is sure the police are still responding to the calls they do get.
- Mr. Maclaren said he didn't know if they answered those calls.
- Mr. Cherepko said yes
- Mr. Maclaren said they do.
- Mr. Cherepko said there was a call in his neighborhood and he was actually out there and saw them come up.
- Mr. Maclaren said is there anything they can do. He said is there some way to post that they should be fined.

- Mr. Cherepko said he is going to turn this over to the Police Chief.
- Chief Washowich said feel free to call 9-1-1 and report it. He said there is an officer who will respond and talk to the homeowner and ask them to cease and desist.
- Mr. Cherepko said he couldn't agree with him more. He said this is the same week as the 4th and obviously are illegal to begin with but he thinks that by the end of this week it should calm down. He said if it continues though to be a problem, call 9-1-1.
- Mr. Segina said Chief there is a ... he heard on the radio today that someone said was there any problem with fireworks because what laws because the state thing that he is talking about occurs in every neighborhood in the City really. He said they said Pennsylvania law says you are not allowed to shoot anything up in the air. He said there are some restrictions on it right. He said if there are restrictions why are they not
- Chief Washowich said there are restrictions for audible signals in the air. He said he would have to review the statute, the complete verbiage of it.
- Mr. Segina said maybe they can stop them from selling those right here in the City.
- Chief Washowich said well it is kind of a Catch-22 because they can ban the fireworks on Walnut Street and buy and audible signal air missile and it would sound similar.
- Mr. Segina said he is not sure which ones are supposed to be banned but he knows there are some restrictions on them.
- Chief Washowich said it is very difficult for them to tell which ones are supposed to be banned.

- Mr. Cherepko said he thinks it has opened up a lot as the years have gone by. He said years ago they were lucky to get sparklers in the State of Pennsylvania and now they are selling everything.
- Mr. Maclaren said he has one more question probably for the Chief. He said the police trailer the guys are dragging around that was on Grandview this last stop, is it ever going to be used for what it was intended. He said what is the deal on that.
- Chief Washowich said it is being used for what it was intended and has a couple of different uses. He said one of those he can't talk about in open forum.
- Mr. Maclaren said was it supposed to be a portable booking station originally.
- Chief Washowich said no, it is usually used ... for community events and an office for police to go into.
- Mr. Maclaren said they actually use it then.
- Chief Washowich said yes, and there are also other uses for it that he cannot talk about publicly.
- Mr. Maclaren said he sees it all over the place but he doesn't seem to be anything going on so he was just curious.
- Chief Washowich said a lot of it is just omnipresence.
- Mr. Maclaren said okay, thank you very much.
- **CYNTHIA DOWNES, 2726 MILBURN STREET, McKEESPORT, PA 15132.** Ms. Downes said her problem is a vacant house next to her. She said she would like to thank Dennis for actually condemning it.
- Mr. Pittman said that would have been Mr. House that took care of it but thank you anyway.

- Ms. Downes said thank you Chris. She said she would now like to put it on the demolition list. She said they can talk about rodents and the eyesore and fire hazard. She said she is this far from it. She said if it catches fire, she is doomed. She said she understands the owner is in California and doesn't know what he owes in taxes but there can't be anything savable in this house. She said the kids have thrown snowballs through the front window.
- Mr. Pittman said to update everyone; they have offered the owners, in return for a consent and release to demolish, which does not change ownership of the property, to offer to take away a citation. He said that means that they could enforce that if they could get to California but it takes a warrant for their arrest away. He said Mr. Brooks is one of the ordinance officers and he is waiting for that response. He said if they respond in the affirmative, Christmas comes early.
- Ms. Downes said what if it does not come through.
- Mr. Pittman said Chris is back there still. He said they would have to have a public hearing Chris and go through a full condemnation, post it, put it in the newspaper, and they end up in the same place but it takes a lot longer. He said they are hoping that they would respond in the affirmative rather than have a warrant for their arrest even though they are out of state.
- Ms. Downes said she does have a solution for other people in the same predicament. She said what is the average cost of a demolition.
- Mayor McLaughlin said \$7,000.
- Ms. Downes said what if they deeded the house or the land over to the next door neighbor who is really

interested in this entire situation and in exchange they would be responsible for tearing down the house.

- Mr. Pittman said they actually have a potential to do that. He said what they would do is offer the neighbor in this case the opportunity (a) to fix it up in which case they would ask them to escrow with them the bid price they would get from a third party to tear it down. He said if they fix it up, they get their money back. He said if they don't fix it up, then they use the escrow money to tear it down and they end up in that situation. He said if the next door neighbor said they would tear it down anyway, then they could proceed to a sale conditioned upon demolition within a given number of days. He said they can do that.
- Ms. Downes said thank you.
- **JOANNE WELCH, 208 MARSHALL DRIVE, McKEESPORT, PA 15132.** Ms. Welch said she is here representing the Haler Heights Task Force and Crime Watch and their concern is their little parklet area. She said for the past eleven years beginning with Jody Swenderman, they have worked to maintain this area. She said it has been eleven years and a lot of her committee members are here. She said there has been a lot of time put into it. She said first the site was funded by the City and they also received a grant from the Western Pennsylvania Conservancy. She said they have had personal donations from neighbors and donations of materials, uses of trucks to deliver the mulch and have put in many many hours of work. She said the site has also been vandalized and they have brought it back to life many times. She said they have never asked for any recognition and that is not why they are here. She said lately they have let it go for about a month because they wanted to show what happens to the site when they don't volunteer. She said right now it is a big weed bed. She said one of the reasons for that is that they have kind of lost their momentum. She said

the last time the sign was knocked down was in July 2010. She said one of the reasons they have lost their momentum is they can't seem to get answers as to how they can work with everyone to bring the site back. She said they heard the sign was knocked down by a young man who had insurance so they figured there was an insurance claim that would cover the sign. She said they never heard anything about who the young man was but there was an eye witness who was very credible. She said after she heard that she called Nick Shermenti's office and was asked to get estimates on the shrubs that were taken out. She said she got an estimate but unfortunately she put it on the business card of the nursery not on a letter head, so it was not legal. She said at that point she said would they please just call the company themselves and get what they need because she was not going to make another trip. She said many rumors have flown and she does not like the negative rumors about the City. She said there has been a rumor of a coverup and that this money has been spent elsewhere. She said was there an insurance claim. She said they also had at one point been told the sign was going to be fixed and that never happened. She said then they were told McKeesport High School was working on the sign so they waited patiently up until this past spring. She said the sign never came and the last day of school came and went. She said that was when they decided they were just going to wait and see what happened. She said her question is who can they work with and who can they get answers from. She said who can they trust to give them the right answer as to what has happened. She said they have raised money, they have a little bit over \$200 right now. She said she found a \$20 bill when she was looking through her papers.

- Mr. Cherepko said to just comment, it is disheartening to hear that there are volunteers like herself who have done a great job and kept that up over the years and then to get so discouraged. He said he can see her

frustration and it is very unfortunate. He said can they help her out Mayor.

- Mayor McLaughlin said can Dennis take care of this.
- Mr. Pittman said Ms. Welch is correct. He said there was an accident and thanks to the diligence of the police department, they were able to adjudicate an insurance claim. He said that did take a little while with the insurance companies but thanks to the police report and then the person's involved they were able to do that. He said concurrently they did ask that they would get an amount for the planting materials. He said he doesn't know how that got disconnected with public works but it was about at that point that it arrived back on his desk and he asked that the public works department go out and get \$400 worth of plants. He said he still has the grievance on his desk that it was not in their job description. He said that is a problem for him, but not a problem for her. He said public works cannot do that unless he solves the grievance so they are going to find another way to get her the plants. He said concurrently Ms. James is here and the McKeesport Area School District said they want to help and they want the Senior Class
- Ms. James said they started the wooden sign but never quite finished the wooden sign before school was over. She said they looked them over and decided since they were wood they would only last about a year so they decided they would use those wooden signs indoors if any of the indoor buildings would need an indoor sign. She said in the meantime she ordered signs from a company that should be in anytime soon for three different parklets, Hall Park, Fawcett and Haler Heights. She said she is expecting a call any day now asking where those signs should be delivered. She said once the sign company calls she will give them the address of

the fire hall so they can be delivered there and then public works will install them.

- Mr. Pittman said if they exceed the amount of the insurance money, the City will make up the difference. He said public works has agreed to install the signs but have still not agreed to put any plants in. He said what they will need to do is find a way to get planting materials....
- Ms. Welch said they don't want them to plant it. She said they want to do it themselves.
- Mr. Pittman said they already told him they are not planting.
- Ms. Welch said that is fine because they will plant it.
- Mr. Pittman said they will work something out with her so that she can select whatever she wants to choose and they will have to impose upon her to do the planting.
- Ms. Welch said they don't mind doing the planting.
- Mr. Pittman said they don't recommend they do the planting until the sign is installed because of the cement base and everything.
- Ms. Welch said exactly. She said that is where the problem came from. She said they have gone on for a whole year and a whole loop of people and she still has messages on her cell phone.
- Mr. Pittman said the solution is sitting here in a red blouse. He said Annette has got that figured out.
- Ms. Welch said when she calls she gets answering machines and no one calls her back, so here she is.

- Mr. Pittman said Ms. James has taken that under her wing and has it resolved. He said they should have that to her he would hope before Labor Day.
- Ms. James said she hopes before Labor Day. She said she took it upon herself because she got numerous calls from different people in different neighborhoods that were missing signs, in addition to the one in Haler Heights. She said she also ordered them for other areas.
- Mr. Segina said he thinks they need a point person on this so when there is a problem they have a person to go to. He said whether he appoints them or the Mayor appoints them or they take it upon themselves to do that instead of them calling all around, especially with the phone system they have at City Hall. He said they really need to have that communication instantly with City Hall to address their problems.
- Ms. Welch said this is the second time this has happened to them and they were wondering if there was some way ... it is evidently when they come around that corner that they lose control. She said they wondered if there was some kind of barrier they could put there to stop that. She said they come over bricks and stones.
- Mr. Cherepko said he looked at that and it is particularly the left hand side. He said especially if they are talking about in the winter because if they slide, they would slide right into it.
- Mr. Pittman said if they can get clearance from their legal counsel as to what they can put there, they can try to do that.
- Ms. Welch said they don't want it all the way around, just that little area because it might help deter that.

- Mr. Pittman said maybe it will discourage vehicles from hitting it.
- Ms. Welch said they will plant everything. She said they don't have to worry about planting anything. She said just give them the money and get the material. She said they will do the rest. She said who is the person that she should get in touch with.
- Ms. James said she has spoken to her before.
- Ms. Welch said the other concern they have and she would like to bring up real quick is about the solicitation on the corner of O'Neil and Eden Park Boulevard. She said she is very concerned about that and that it is going to turn into a legal issue if someone gets hurt.
- Mayor McLaughlin said that has been a pet peeve of his for years.
- Mr. Cherepko said the Mayor is exactly right. He said it has gotten worse. He said he was there a few weeks ago and these kids were not 10. He said these kids were younger than that in the middle of the boulevard.
- Mayor McLaughlin said if he comes down O'Neil and sees them he goes down Washington Boulevard and goes the other way.
- Mr. Segina said they are out there every Saturday.
- Mr. Cherepko said there used to be just a handful. He said now it seems like it is every weekday. He said they are getting very young.
- Mr. Segina said White Oak has already outlawed it.
- Mr. Cherepko said if there is something they can do, he thinks they should do something whether they are liable or not.

- Ms. Welch said exactly, it is the safety that is the most important.
- Mr. Pittman said they have to get a permit from the Chief's secretary so the City can manage that intersection, Hartman and O'Neil, by age because they must get a permit from the Chief's office.
- Chief Washowich said it is something that he thinks they talked about before that he would like to talk to Council about because he is totally against anybody under the age of 18 being in the middle of the intersection. He said he knows that is not going to go over well with some of the groups they have but he doesn't want the death of a child to fall under his watch.
- Mr. Cherepko said he agrees. He said he thinks it is one thing if the firemen are out there doing their boot collection or the Kiwanis or the Lions.
- Chief Washowich said he stopped one day and actually had a conversation with a group that was on a corner and there was a teenager in the middle of the intersection.
- Ms. Welch said thank you.

TABLED BILLS:

BILL #160: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICERS TO ENTER INTO AN AGREEMENT WITH THE COUNT OF ALLEGHENY FOR THE REHABILITATION OF THE MANSFIELD BRIDGE.

- Mr. Cherepko said he is going to need a motion to remove this from the table this evening and it will then be replaced by Bill #167.

MOTION: **Mr. Segina moved, seconded by Ms. Diggs, "To remove Bill #160 from the Table and the Agenda."**

RC-3 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
 DELLAPENNA, SEGINA 6

 NAYS: NONE..... 0

NEW BUSINESS:

ORDINANCE #11-13 – BILL #166: AN ORDINANCE OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, VACATING A PORTION OF DELAWARE AVENUE AND 20' ALLEY SITUATE IN THE EIGHTH WARD OF THE CITY OF McKEESPORT FROM A POINT BEING LOCATED DISTANT BY THE FOLLOWING 2 LINES FROM THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF FAWCETT STREET WITH THE WESTERLY RIGHT-OF-WAY LINE OF DELAWARE AVENUE, (1) THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF DELAWARE AVENUE 30' R/W IN A SOUTHWESTERLY DIRECTION 165.66' MORE OR LESS TO A POINT, (2) BY A LINE IN A SOUTH SOUTHEASTERLY DIRECTION THROUGH DELAWARE AVENUE 30' R/W A DISTANCE OF 15' TO A POINT ON THE CENTERLINE OF DELAWARE AVENUE 30' R/W BEING AT THE TRUE POINT OF BEGINNING; THENCE ALONG THE CENTERLINE OF DELAWARE AVENUE 30' R/W IN A SOUTHWESTERLY DIRECTION 55.10' MORE OR LESS TO A POINT WITH ITS INTERSECTION WITH THE CENTERLINE OF A 20' ALLEY; THENCE ALONG THE CENTERLINE OF SAID 20' ALLEY IN A NORTHEASTERLY DIRECTION 63.87' MORE OR LESS TO A POINT ON THE TERMINUS OF SAID 20' ALLEY, CONTAINING 2,926 SQ. FT.

MOTION: **Ms. Diggs moved, seconded by Mr. Segina, "To adopt Bill #166."**

COMMENTS:

- Ms. Walker said she wanted to go on record to say that she doesn't agree with it just because she doesn't think they should be getting involved in neighborhood disputes and she doesn't want to set that precedent. She said if they do this, they will have more people coming down and want to do this in the future. She said she just wants to go on record and say that.
- Mr. Cherepko said if it wasn't just that, just so she is aware, it was that he has a lot of traffic coming through down through the woods on that vacant property also and he was trying to acquire that property to put up a fence along the line also.
- Ms. Walker said there were other reasons for that, and that is what she is saying.
- Mr. Segina said no one talked to the other gentleman involved in this though did they.
- Mr. Cherepko said as far as what they are voting on, there is really no one else involved because they are just voting on this property. He said Mr. Dice can correct him if he is wrong but they are just voting on this property and the other gentleman that there was an issue with ... had no right of way to this property and is not an adjacent property owner. He said is he correct in that.
- Mr. Dice said that is what he understands.
- Mayor McLaughlin said if push comes to shove they will get the patrolman out there to talk to this other gentleman.
- Mr. Cherepko said yes, and he thinks as far as that issue goes it just gives them a better argument to do exactly what he said earlier as far as enforcement of the parking out there. He said it was much clearer to him when he went out there himself.

- Mr. Segina said he does agree.

RC-4 YEAS: CHEREPKO, McCALL, DIGGS, DELLAPENNA,
SEGINA 5

NAYS: WALKER 1

RESOLUTION #2011-48 – BILL #167: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICERS TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ALLEGHENY FOR THE REHABILITATION OF THE MANSFIELD BRIDGE.

MOTION: Mr. Segina moved, seconded by Mr. Cherepko, "To adopt Bill #167."

RC-5 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
DELLAPENNA, SEGINA 6

NAYS: NONE 0

BILL #168: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, APPROVING A ZONING APPLICATION FROM PAULINE AUBERLE FOUNDATION AND AUBERLE CORPORATION FOR A CONDITION USE IN AN R-4 ZONING DISTRICT TO OPERATE A GROUP HOME AT 2911 VERSAILLES AVENUE, McKEESPORT, PA.

- Mayor McLaughlin said are they going to table this Bill.
- Mr. Cherepko said in light of yesterday's accounts, there was miscommunication between Auberle Foundation and they were not present for the Public Hearing and during the Public Hearing, on the advice of Chelsea Dice, they chose not to close off testimony in that hearing and keep that record open.

He said they are going to meet with them and reschedule a continuance of that public hearing.

- Mayor McLaughlin said then are they going to have a Special Meeting to vote on this Resolution.
- Mr. Cherepko said yes they are.
- Mayor McLaughlin said if they are going to have a Special Meeting to do this then they should set the Special Meeting up also to do what they talked about this morning.
- Mr. Cherepko said absolutely they will do that. He said there is no question that they will have to do them both together.

MOTION: **Mr. Segina moved, seconded by Mr. McCall,
"To table Bill #168."**

RC-6 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
 DELLAPENNA, SEGINA 6

 NAYS: NONE..... 0

**RESOLUTION #2011-49 – BILL #169: A RESOLUTION OF
THE CITY OF McKEESPORT, ALLEGHENY COUNTY,
PENNSYLVANIA, APPROVING A REQUEST FROM WALNUT
EDEN ASSOCIATES FOR A SUBDIVISION TO CREATE THREE
LOTS FOR SALE OR LEASE AT THE CORNER OF WALNUT
STREET AND EDEN PARK BOULEVARD (PARCEL #464-K-374)
LOCATED IN THE TWELFTH WARD OF THE CITY OF
McKEESPORT.**

MOTION: **Mr. Segina moved, seconded by Ms. Walker,
"To adopt Bill #169."**

RC-7 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
 DELLAPENNA, SEGINA 6

NAYS: NONE..... 0

RESOLUTION #2011-50 – BILL #170: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, APPROVING THE SITE PLAN SUBMITTED BY JDH CAPITAL FOR THE PROPOSED CONSTRUCTION OF A RETAIL STORE AT THE INTERSECTION OF WALNUT STREET AND EDEN PARK BOULEVARD, McKEESPORT, PA.

MOTION: Mr. Segina moved, seconded by Ms. Walker, "To adopt Bill #170."

RC-8 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
DELLAPENNA, SEGINA 6

NAYS: NONE..... 0

RESOLUTION #2011-51 – BILL #171: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICERS TO FILE AN APPLICATION WITH THE UNITED STATES DEPARTMENT OF JUSTICE WITH THE ALLEGHENY COUNTY SHERIFF'S OFFICE IN THE AMOUNT OF \$37,992.00 FOR THE PROGRAM KNOWN AS RECOVERY ACT: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG 2011) FORMULA PROGRAM.

MOTION: Mr. Segina moved, seconded by Mr. Dellapenna, "To adopt Bill #171."

RC-9 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
DELLAPENNA, SEGINA 6

NAYS: NONE..... 0

RESOLUTION #2011-52 – BILL #172: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY OF McKEESPORT'S PARTICIPATION IN ALLEGHENY COUNTY'S SINGLE FAMILY MORTGAGE REVENUE BOND PROGRAM.

MOTION: **Mr. Segina moved, seconded by Mr. Dellapenna, "To adopt Bill #172."**

RC-10 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
 DELLAPENNA, SEGINA 6

 NAYS: NONE..... 0

BILL #173: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICERS TO ENTER INTO A CONTRACT WITH KU RESOURCES, INC., 22 SOUTH LINDEN STREET, DUQUESNE, PA 15110.

MOTION: **Mr. Segina moved, seconded by Ms. Walker, "To adopt Bill #173."**

COMMENTS:

- Mr. Segina said he thought about this last night because he was involved with back in 1980. He said how far gone is this house. He said is it to the point where it can't be salvaged.
- Mr. Pittman said currently the residents of the house do not have use of their driveway but they are living in the house. He said the gas line and the water line have been rerouted and received service from the rear. He said the electric service is not there yet but Tom Rosso has looked at it with Duquesne Light and there is a possibility of changing the direction of the electrical service. He said the fear is that if the land continues to slide and they don't do anything, the house would be serviced with utilities but an island and you would not be able to get to it. He said what they are going to

find out from a geotechnical study is how bad the subsurface conditions are. He said they are supposed to get options about what they can do to save the house. He said in case they cannot, they are going to quantify it in numbers for them to remove the property.

- Mr. Segina said where are they going to take the geological testing on that property to see why it is drifting.
- Mayor McLaughlin said where are they taking the core samples.
- Mr. Pittman said he apologizes, Nick was there with Senate Engineering and he was not out in the field so he does not know the answer to that.
- Mr. Segina said the reason he is asking that is because he is not sure who owns that property. He said at one time the Amvets did but he doesn't know if they sold it to Babe Charapp who in turn sold it now to Sunstein over there. He said if they are going on their property to do geological testing....
- Mayor McLaughlin said he thinks the property was sold to the storage facility, Andy Hrinda.
- Mr. Segina said would he be responsible then for that hill coming down.
- Mr. Dice said he talked to Chelsea about this a little bit today. He said is this on any municipal property. He said what interest does the City have in this. He said this a private issue between property owners. He said certainly he understands no one wants to see a house gets lost but he has been involved in an awful lot of these kinds of cases where municipalities start to want to do the right thing and sometimes that comes back to put them in a position where they have liability in a situation where they might be liable. He said once they start interfering here are they going to be a target for someone who is going to sue because their house

falls in. He said if the City did not cause the problem and it is not on any public property, then why would they get involved.

- Mr. Segina said that is what he was trying to establish when he asked who owned it. He said there is a certain amount of responsibility and he doesn't want to see these people lose their home.
- Mr. Dice said that is why they have insurance, that is why they carry homeowner's insurance and why there is insurance for those kinds of things.
- Mr. Cherepko said he could have sworn there was an explanation why....
- Mr. Segina said that was the Amvets
- Mr. Cherepko said did the City go back and grade it or cause it or something.
- Mr. Segina said they hired a contractor to do it
- Mr. Cherepko said he is just asking.
- Mr. Pittman said he did not get it cut and fill and just took the toe and slope out.
- Mr. Dice said that is generally what happens, someone has taken the toe and slope out and the hill comes down.
- Mr. Segina said he was three days on the job and he went up there and looked and he told them this wasn't right and they shouldn't be doing this. He said they told him they knew what they were doing. He said at 4:00 he got a phone call that the hillside went. He said that was when it happened then. He said they originally rerouted that gas line because he was tapping off the neighbor at one time. He said he guesses it stabilized for a while and now through time the earth is constantly moving and here they go again. He said it could be all that rain they had too. He said that is why he is asking who is responsible.

- Mr. Dice said his question is what is it that causes the City to say they should do something. He said what is the vehicle that says ... has someone charged the City ... or said they are going to make a claim against the City that they did something wrong.
- Mr. Cherepko said they have houses other places, like the one in upper 10th Ward where the whole yard is basically gone. He said he thinks Mr. Dice is right and maybe they should table this.
- Mr. Dice said he thinks they need to establish what the theory is that brings them into paying some money to do some core samples. He said he would not do it unless they have some exposure here. He said if they don't have any exposure then why would they be doing it.
- Mayor McLaughlin said that is what he is saying, they are surveying up there.
- Mr. Dice said someone needs to say why they are interloping into this area.
- Mr. Cherepko said why are they even involved if it is owned by someone else.
- Mr. Dice said they can all sit there and sympathize with this person because it is a sorry situation but unless the municipality has done something that puts it in harm's way, he would not start spending money on the situation until they know why they are in it. He said it is not his vote, it is their vote, but he thinks tabling the bill until they know why they are doing this would make sense.
- Mr. Cherepko said the worst case scenario is they can throw it on the Special Meeting agenda also.
- Mr. Pittman said what is their responsibility regarding the loss, why do they have an obligation

- Mr. Segina said they would have to be in their house every day wondering every day wondering if they are going to end up on Eden Park Boulevard.
- Mr. Cherepko said he forgot they no longer have a driveway.
- Mr. Pittman said is the street moving or the land moving below the street.
- Ms. Diggs said the insurance company can't be responsible.
- Mr. Pittman said the land below King Street has shifted and King Street as a result has moved four feet away from their house and their driveway no longer connects to the street.
- Mr. Dice said is it moving because of something that the property owner did.
- Mr. Pittman said the question is whether the land moving because of something a private owner did or some other issue that moved the street.
- Mr. Dice said maybe the City has a claim. He said it is always better that way.
- Mr. Pittman said he just informed Council of that a few seconds ago. He said someone other than the City owns the land that is moving. He said he knows King Street moved away from the driveway but it is the land below King Street that is moving. He said the question is who owns the land below King Street. He said the City owns the street and the street has moved four feet so that it no longer connects to their driveway. He said the land below the street is what has moved prior to the street moving and that is the hillside and Nick is not clear as to who has ownership of the hillside.
- Mr. Dice said he just thinks it is appropriate at this time to table it and a motion would be in order to table it and a second on that. He said there would be no discussion on that

if it happens. He said then they can get some details and they can always add it to the Special Meeting.

- Mr. Cherepko said he would like a motion to table Bill #173.

MOTION: Mr. McCall moved, seconded by Mr. Dellapenna, "To table Bill #173."

RC-11 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
DELLAPENNA, SEGINA 6

NAYS: NONE..... 0

RESOLUTION #2011-53 – BILL #174: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICERS TO ENTER INTO AN AGREEMENT WITH JOE PALMIERI CONSTRUCTION, INC., FOR 2011 HANDICAP RAMPS IN THE AMOUNT OF \$27,576.00.

MOTION: Mr. Segina moved, seconded by Ms. Walker, "To adopt Bill #174."

RC-12 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
DELLAPENNA, SEGINA 6

NAYS: NONE..... 0

RESOLUTION #2011-54 – BILL #175: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, APPOINTING SENATE ENGINEERING COMPANY AS THE CITY'S BRIDGE INSPECTION ENGINEERS.

MOTION: Mr. Dellapenna moved, seconded by Ms. Walker, "To adopt Bill #175."

RC-13 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
DELLAPENNA, SEGINA 6

NAYS: NONE..... 0

RESOLUTION #2011-55 – BILL #176: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICERS TO ENTER INTO AN AGREEMENT WITH HESS CORPORATION FOR THE PURCHASE OF NATURAL GAS FOR ALL CITY PURPOSES FOR A TERM THROUGH AND INCLUSIVE OF JULY 2013 @ \$1.37 BASIS FEE.

MOTION: Mr. Segina moved, seconded by Mr. Cherepko, "To adopt Bill #176."

RC-14 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
DELLAPENNA, SEGINA 6

NAYS: NONE..... 0

- Mr. Pittman said he apologizes but wondered if it would be possible to amend the Agenda to add a couple of items with the concurrence of the Solicitor as to how they might do that. He said they are good news items. He said he will explain one of those first and then they can make their decision. He said today in the mail they received the contract from the Governor for \$300,000 in grant money. He said it is grant money to put in a new traffic light at Rebecca and West Fifth Avenue and also to put traffic lights on Market and Walnut back to Walnut and Ninth all the way out to Christy Park. He said that was the result of a bus tour that was sponsored by Representative Gergely and Kortz. He said he doesn't know if Tom Rosso is still here or left already. He said Tom might take a moment to explain the details. He said the reason he wants to put it on the Agenda is that they gave them the Resolution that they sent from Harrisburg and if they don't approve it tonight they won't get the contract in place in 2011.

- City Electrician Tom Rosso said on the tour of the area that Mr. Gergely and Kortz sponsored there was some discussion on the replacement of traffic signals. He said \$200,000 of the \$300,000 will be going toward the Rebecca and West Fifth where there will be a total upgrade of the whole system. He said the remaining \$100,000 will be used for Market Street to finish the upgrade for the Hometown Streets and put new controllers and signal heads at Ninth Street and new controllers and detectors which will allow the lights not to change unless there are cars on the side streets for the whole Walnut Street corridor including 30th, 28th, 26th and Iowa Street which is 22nd Street where CPI is located. He said the preliminary numbers are around \$81,000 for the parts and they will have a little left over for some labor.
- Mayor McLaughlin said they did not say anything about Route 48 and Walnut.
- Mr. Rosso said there was no involvement with that intersection because there is no development across the street yet.
- Mayor McLaughlin said they are waiting on the development.
- Mr. Rosso said the \$300,000 was part of an \$8.4 million grant that they collected money from the Philadelphia traffic signal program where they give traffic tickets out for red light violations. He said they requested \$300,000 and got every penny of it. He said if you run a red light in Philadelphia, they take your picture and you get a ticket. He said \$300,000 out of \$8.4 million is almost three percent of the money so they really did well. He said they should give accolades to Mr. Gergely and Bill Kortz and Senator Brewster for pushing that through the Governor's office.
- Mr. Dice said so there is a motion or order to put this on the agenda.

- Mr. Cherepko said they need a motion to put this on the Agenda.
- Mr. Pittman said do they want him to explain the other bill.
- Mr. Dice said they should do them one at a time.

AMEND THE AGENDA:

MOTION: **Mr. Segina moved, seconded by Mr. McCall,
"To amend the Agenda to add Bill #177."**

COMMENT:

- Mr. Dice said typically they should ask for public comment because they are asking to put this on the agenda and it was not on the agenda before. He said under the Sunshine Law they are supposed to ask the public to give comment if they have any on this item only. He said is there any public comment on this item only. He said now they have satisfied the Sunshine Law on that requirement. He said now they can vote.

RC-15 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
 DELLAPENNA, SEGINA 6

 NAYS: NONE..... 0

**RESOLUTION #2011-56 – BILL #177: A RESOLUTION OF
THE CITYOF McKEESPORT, ALLEGHENY COUNTY,
PENNSYLVANIA, AUTHORIZING THE MAYOR TO SIGN THE
ATTACHED AUTOMATED RED LIGHT ENFORCEMENT
PROGRAM PROJECT FUNDING AGREEMENT WITH THE
COMMONWEALTH OF PENNSYLVANIA.**

MOTION: **Ms. Diggs moved, seconded by Ms. Walker,
"To adopt Bill #177."**

RC-16 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
DELLAPENNA, SEGINA 6

NAYS: NONE..... 0

- Mr. Pittman said they got another letter from the Governor's Office and this one is not so pleasant. He said back in the summer of 2010, they milled off Williams Street and subsequently came back to do some paving. He said unfortunately they did not come back very quickly and as he is told, the One Call yellow paint must have washed away and they cracked a line of Equitable Gas. He said Equitable Gas only recently has sent the City an invoice for their services and he spoke to Mr. Shermenti about it. He said they have determined they needed to pay that invoice and thought that was the end of it and they now have a letter from Catherine Wojciechowski, Deputy Chief Counsel for the Commonwealth of Pennsylvania notifying the City that they are subject to a \$1000 fine for not making a One Call. He said however, if they are willing to act promptly and sign a settlement agreement, they are willing to reduce the fine to \$200.00. He said he would defer to Council but he would maybe recommend signing the settlement and saving \$800.00.
- Mr. Dice said he has been through this in other communities and they are much better off taking the settlement agreement in lieu of trying to fight it. He said they are not going to win this.

MOTION: **Mr. Segina moved, seconded by Ms. Diggs, "To amend the Agenda to include the Settlement Agreement."**

COMMENT:

- Mr. Dice said is there any public comment on adding this Settlement Offer to the Agenda. He said seeing no public comment, they may now vote on the motion.

RC-17 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
DELLAPENNA, SEGINA 6

NAYS: NONE..... 0

MOTION: **Mr. McCall moved, seconded by Ms. Diggs, "To approve the Settlement Offer."**

RC-18 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
DELLAPENNA, SEGINA 6

NAYS: NONE..... 0

- Mr. Pittman said the third item may or may not need a Resolution and he will ask Counsel for advice. He said they have advertised with Chief Lust to dispose of their used fire truck and got no response.
- Mayor McLaughlin said that is the old one that is sitting up on 12th Street.
- Mr. Pittman said Nick and Kevin have gone out to see if they could find anyone else who might express an interest in it. He said they had two proposals, one from Lowrey to trade them the truck for used fire hose and the other from Casturo to take it for scrap. He said the one from Casturo is for \$5,000 and seems to be the higher value. He said it would allow them to dispose of the vehicle and create cash. He said he doesn't know if that needs a resolution or just a motion.
- Mr. Dice said this is a matter of a motion. He said what he understands is that they have advertised to sell it off, got no response once, advertised it a second time, got no response. He said that is the requirement under the law, it has to be two times. He said then they can negotiate
- Mr. Pittman said they negotiated with two others and the cash seems to be the highest and best offer.

- Mr. Segina said is there some way they can put a value on this fire truck before they get rid of this truck. He said it is an arbitrary value that they put on the truck.
- Mr. Pittman said at this point the value they can garner from others for it is zero, no one wants it.
- Mr. Segina said what year is it.
- Mr. Pittman said it is sitting down by the CAPCO Building. He said the Fire Chief is on vacation.
- Mr. Segina said they can pay Ray with that.
- Mr. Pittman said he doesn't think they should couple those two actions together.

MOTION: **Mr. Segina moved, seconded by Mr. McCall,
"To sell the Fire Truck to Casturo for \$5,000."**

RC-19 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
 DELLAPENNA, SEGINA 6

 NAYS: NONE..... 0

- Mr. Pittman said he is greedy while he has the floor. He said he and Mr. Cherepko spoke earlier today. He said everyone heard Bethany's commentary earlier about HUD. He said they have a significant receivable from the Federal government and they have approval, although their grant was cut by \$278,000, for about \$1.2 million. He said none of that money since December has been here and they have incurred some significant costs in both staffing and projects that they have implemented. He said they are fully reimbursable when the money is released but it has not yet been released. He said they have three payrolls in July and if they don't get the money released by the end of July, he would like to ask the indulgence of this Council to utilize some of the \$420,000 that

sits in an account they call the Mayor's Fund Balance, or the Fund Balance, until they get the HUD money released back to the City. He said it is a cash flow issue, it is not a budgetary issue at this point.

- Mr. Segina said they talked about this one time that Mr. Pittman took \$81,000 out of that \$500,000 and the City was going to be reimbursed for the \$81,000. He said now he is coming back to them saying he wants more money and is promising to pay them back.
- Mr. Pittman said that is correct. He said he would like to say however that he would not be here asking that except that he got a very attractive offer from PNC Bank to make an early payment on their Tax Anticipation Note and conferred that with the Controller and they borrowed \$1.5 million in January and have already repaid \$750,000 of that. He said that has cut their interest expense and what they need to pay in December. He said he is pleased to announce that.
- Mr. Malinchak said along these lines, he continues to be puzzled with the so-called Mayor's Fund because if he remembers correctly they did have that as a Revenue line item in the budget. He said it is confusing to him how they can put a Revenue line item in the budget and then dedicate it to this year's expenses then all of the sudden they have another constraint that they have to go back to Council to ask for a release when they already got a release when they passed the Ordinance for the budget.
- Mr. Pittman said he thinks ... and he hates to keep challenging Mr. Dice because he was not here then, but they did use the Mayor's Fund Balance or what they will call the fund balance amount, to create a balanced budget last December.
- Mr. Malinchak said minus the \$80,000.
- Mr. Pittman said that is correct. He said however he thinks there was a prior action of this Council that the use of any of

those funds, even if it balanced the budget, needed to come back here for approval. He said that is what he is asking for here this evening.

- Mr. Malinchak said he understands what he is saying and understands why they want control over the money. He said it makes sense. He said it is in a way foolish because once they approved the budget and committed the \$420,000 it is a moot point and they have to release it.
- Mr. Pittman said he will just sleep better, if it is approved and the cause and effect is what Bethany described earlier here this evening.
- Mr. Segina said are they going to get the money from the federal government because if they don't then ... they are knocking down walls and depleting their General Fund of monies not knowing if they are going to be reimbursed.
- Mr. Pittman said Mr. Segina is right and they are in a very shallow creek without a paddle.
- Mr. Malinchak said wasn't there a little lesson learned ... if he remembers correctly, when they were warned by Representative Marc Gergely not to be too aggressive in procuring a vehicle. He said they were aggressive in procuring a vehicle even though he said proceed with caution because he may not be able to get them the money. He said then they had to fund the vehicle out of Weed and Seed. He said that is exactly what Mr. Segina is raising a question on.
- Mr. Cherepko said does anyone else have any questions.
- Mr. Pittman said he would just like to see if he can get a consensus if he needs it, whether he can use it without having a special meeting.
- Mr. Segina said what amount is he talking about. He said they don't even know what he is talking about.

- Mr. Pittman said it would be to meet payroll and payroll has been running about \$275,000 to \$300,000. He said it would be for the third payroll in July.
- Mr. Cherepko said so the CD money would reimburse the City for that.
- Mr. Pittman said they would put it back and if they don't have a Special Meeting, he will get a memoranda out to all of them that it is being done.
- Mr. Segina said he is trying to paint the worst scenario and if the money doesn't come in until September
- Mr. Pittman said he will probably be standing with a boot at the intersection of Hartman and O'Neil. He said he is serious.
- Mr. Cherepko said basically what he is saying is that if they don't do this, then they don't have money for the third payroll in July.
- Mr. Pittman said yes as it sits right now. He said now they could have some windfall of cash between now and then but he cannot guarantee that.
- Mr. Segina said have they made their payments on the vehicles that they purchased.
- Mr. Pittman said yes, they have paid for the fire truck, the paver and the river....
- Mr. Segina said how did he do that when the money did not come in from HUD.
- Mr. Pittman said the City has an approval from HUD to use the HUD money for that, they just have not received the cash yet, so he paid it out of the General Fund.
- Mr. Malinchak said let me ask you this
- Mr. Cherepko said Mr. Malinchak please

- Mr. Malinchak said in order to understand
- Mr. Cherepko said Mr. Malinchak, please, they are good, he is not a voting member of this board.
- Mr. Malinchak said wait a minute, he is the Controller. He said this is a financial matter. He said since when can they preempt the Home Rule He said Mr. Solicitor would you please rule on that.
- Mr. Dice said he doesn't think there is anything to rule on yet, he thinks they are trying to get to the bottom line here.
- Mr. Malinchak said why can't he speak because he wants to bring something up here. He said he doesn't think they have any choice, they have to make payroll.
- Mr. Segina said he is only reiterating what he said at the beginning about this problem and how it puts them in such deep financial straits.
- Mr. Pittman said if he can add some clarity, the two lease payments they have made that are approved by CD although the money is not here yet are \$65,000 on the current brand new fire truck and \$115,000 that went toward a combination payment for the river rescue boat and the new paver. He said combined that is about \$170,000 already in lease payments.
- Mr. McCall said if they do this and the money still doesn't come in in August, and then they will all
- Mr. Pittman said they will all be perspiring if the President doesn't send them some money.
- Mr. Segina said it is wiping them out. He said there is a time table for HUD to give them that money.

MOTION: **Mr. McCall moved, seconded by Ms. Walker,**
"To allow the City to use funds from the

Mayor's Fund Balance Account for the July payroll if needed."

RC-20 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
 DELLAPENNA, SEGINA 6

 NAYS: NONE..... 0

- Mr. Cherepko said before they go into the approval of the bills, Mr. Segina resigned from the Allegheny League of Municipalities and he would like to ask for a motion from Council to appoint Rich Dellapenna as the representative for the Allegheny League of Municipalities.

MOTION: **Mr. Segina moved, seconded by Ms. Walker,
 "To appoint Richard Dellapenna as the
 representative to the Allegheny League of
 Municipalities to replace Darryl Segina."**

RC-21 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
 DELLAPENNA, SEGINA 6

 NAYS: NONE..... 0

- Mr. Cherepko said would Mr. Malinchak please report the approval of the bills.

CONTROLLER'S REPORT:

- Mr. Malinchak said he will give the Controller's Report, which includes the approval of bills. He said he has a question ... yesterday
- Mr. Cherepko said Mr. Malinchak gave his Controller's Report yesterday.

- Mr. Malinchak said why is it on the Agenda today. He said he sees it right here at the bottom, Item #11, Controller's Report. He said where does it say you don't give it on Wednesday, you give it on Tuesday.
- Mr. Cherepko said he gave his report and he doesn't understand why it has to be a fiasco. He said no one else was able to report yesterday. He said remember they let him speak yesterday and said ... anything else, Mr. Malinchak, anything else, Mr. Malinchak.
- Mr. Malinchak said so Mr. Cherepko is saying he doesn't have to give a Controller's Report.
- Mr. Cherepko said no.
- Mr. Malinchak said then he cannot include a recommendation to approve the bills.
- Mr. Cherepko said anyone can make a motion to approve the bills.
- Mr. Malinchak said that is part of the Controller's Report. He said if he can't give the Controller's Report, then he is not going to give a recommendation....
- Mr. Cherepko said Mr. Malinchak technically since they are such sticklers for the Home Rule Charter, he is not required to give a Controller's Report every month. He said as a matter of fact, it is quarterly and furthermore he believes it says in writing. He said in seven years he has never seen a Controller's Report in writing.
- Mr. Segina said Mike why make an issue of this. He said let's get this over with.
- Mr. Cherepko said that is what he is trying to do, Mr. Segina.
- Mr. Segina said then let's get the Controller's Report and get it over with.

- Mr. Cherepko said listen, they got the report last night.
- Mr. Segina said well no, he was asking questions last night. He said Mr. Malinchak was making inquiries.
- Mr. Cherepko said it is always a headache. He said he needs approval of the bills.
- Mr. Malinchak said whatever decision Mr. Cherepko wants to make he will abide by it. He said if he doesn't want him to give a report, then he is done.
- Mr. Cherepko said what is your report Mr. Malinchak.
- Mr. Malinchak said he is done, he said no Controller's Report so he is done.
- Mr. Cherepko said then okay then they will get approval of the bills. He said does Mr. Pittman have a number for the bills.
- Mr. Pittman said Mr. Malinchak has the warrant list under the gum band on his desk.
- Mr. Malinchak said he is not giving the number to them. He said Mr. Pittman can go get them in his office.
- Mr. Segina said why are they causing this problem. He said let him
- Mr. Cherepko said he told him that he has a report ... to give his report ... and he said "well the report is part of the bills." He said jeez oh man, take your ball and go home.
- Mr. Malinchak said he would be delighted to give a Controller's Report but the gentleman who is controlling the meeting, the President, does not want him to give a Controller's Report.
- Mr. Segina said he has conceded that you can do that now.

- Mayor McLaughlin said please give the report.
- Mr. Malinchak said thank you Mayor. He said he will yield to the Mayor's recommendation. He said the Controller's Report is to recommend the payment of invoices that total \$62,742.88. He said after that he has one other item.

MOTION: **Mr. Segina moved, seconded by Ms. Walker, "To approve the payment of the bills in the amount of \$62,742.88."**

COMMENTS:

- Mr. McCall said why did the amount go up.
- Mr. Malinchak said from last month. He said do they want him to go through the list of bills. He said one of the big items they have He said he can go through every item if they want him to. He said the other question he has is for Mr. Dice. He said yesterday they discussed the conversation he had with Mr. Pittman and the Mayor based on a 6/22/2011 telephone conversation where he reviewed the Third Class City Code on incompatibility of offices. He said they were a little confused about the conclusion he came to based on the information they got last night.
- Mr. Dice said what they are going to get because they are talking about the issue of serving on an Authority....
- Mr. Malinchak said that is correct, a Council person serving on an Authority.
- Mr. Dice said he wants them to know they have been going back and forth in the office concerning that issue. He said what he is going to do is render a writing to them by Monday and it will include § 53 P.S. 6001 which is the section that deals with qualifications of Councilmen as well as the citations to the Home Rule Charter. He said he will get an opinion to them on that issue by Monday.

- Mr. Malinchak said thank you very much.
- Mr. McCall said would Mr. Dice be able to give that opinion to all of Council.
- Mr. Dice said he will send it to Mr. Pittman and he can disperse it.

RC-22 YEAS: WALKER, CHEREPKO, McCALL, DIGGS,
 DELLAPENNA, SEGINA 6

 NAYS: NONE..... 0

ADJOURNMENT:

President of Council Michael Cherepko adjourned the meeting at 9:18 p.m.

Respectfully submitted,

Patricia A. Williams
City Clerk and Clerk of Council

APPROVED:

Michael E. Cherepko
President of Council

daw